

**GITXAALA SOVEREIGNTY:
INDIGENOUS GOVERNANCE AND INDUSTRIAL DEVELOPMENT**

by

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Abstract

This paper discusses how Gitxaala governance and law inform perceptions of, and responses to, resource extraction and industrial development within *laxyuup Gitxaala*, the traditional territory of Gitxaala Nation. As argued, the Nation's interest in maintaining its primary authority over decision making processes related to development is rooted in a greater desire for increased recognition and respect of its unextinguished rights and title—its Aboriginal sovereignty—under Canadian Law. Significantly, Gitxaala Nation's assertion of sovereignty is founded upon the continuation of a governance system intrinsically tied to the Nation's active engagement with the territory, and the harvest of the resources found therein. Gitxaala Nation's perceptions of, and responses to, development are therefore best understood from the vantage point of its desire to uphold Gitxaala laws (*ayaawx*), oral history (*adawx*), and concept of inheritance (*gugwilx'ya'ansk*) in the practices of territorial management. It is this relationship of interdependence between Gitxaala Nation and its traditional territory that forms the basis of the Nation's understanding of what it means to be Gitxaala.

Preface

This Master's thesis is an original work based on fieldwork conducted by the author from June 1 2015 to July 21 2015. I am entirely responsible for both the researching and the writing of this thesis.

Ethics approval was obtained from the University of British Columbia's Behavioural Research Ethics Board, certificate number H15-01381.

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Dedication

I dedicate this thesis to my maternal grandmother, Ilse Bleick (February 13, 1929 – February 15, 2016) who lovingly dedicated her life to supporting 'her girls' in the assurance of their health and happiness. Thank you, grandma.

Introduction

First Nations' interests in matters of territorial governance, resource extraction, and industrial development are rooted in a common desire for greater recognition of Aboriginal rights and title. For decades, First Nations have fought in the provincial and federal courts of Canada in the furtherance and clarification of their rights and title, and confirmation of the Crown's fiduciary duty to protect First Nations' interests. It is this legal recognition of the Crown's fiduciary duty of protection that allowed First Nations to further argue for the courts to mandate meaningful consultation with First Nations, prior to the approval of activities seen as having potential impact on these legally recognized rights. This is what lies at the core of First Nations' motivations for engagement with proponents, regulatory agencies, and non-Aboriginal governments, a desire for the respect of their rights over traditional territories.

For Gitxaala Nation, this core interest is clearly demonstrated by community perceptions of, and responses to, development within the bounds of *laxyuup Gitxaala*, or Gitxaala traditional territory. Abstaining from treaty settlement with the Crown, Gitxaala Nation has instead continued to assert its unextinguished right to self-governance, its sovereignty, by way of active engagements with development proponents, regulatory agencies, and non-Aboriginal governments in the areas of resource extraction and industrial development. Through the establishment of Gitxaala Environmental Monitoring (GEM), and the agency's development of policies and procedures outlining expectations of conduct within *laxyuup Gitxaala*, the Nation continues to assert its status as the lawful holder of rights and title over the land and resources which together comprise *laxyuup Gitxaala*.

At the heart of this assertion of sovereignty over *laxyuup Gitxaala* is a continued fidelity to the *ayaawx* (laws) that have sustained Gitxaala Nation for thousands of years. As appreciated by Gitxaala Nation, an ongoing adherence to its own complex system of governance, and therefore its related economic, social, and spiritual systems affirms its continued sovereignty over the whole of *laxyuup Gitxaala*. The *adawx* (oral history), *ayaawx* (laws), and the process of *gugwuilx'ya'ans* (inheritance), serve as the basis of Gitxaala governance and therefore inform all aspects of Gitxaala daily life, and ideology. Importantly, the Nation's “oral knowledge—history, songs, traditions, ecology, practices— [have] grown... through the active inter-section of an Indigenous people within and against the ebbs and flows of our natural and social landscapes” (Menzies 2010:214). In this way, it should be understood that the maintenance of Gitxaala *ayaawx* by successive generations—living in, and managing the territory, and its resources—is supported by a relationship of interdependence between Gitxaala Nation and its traditional territory. In other words, Gitxaala sovereignty is assured through the continued practice of Gitxaala *ayaawx*, and it is the Nation's ongoing engagement with its territory which accounts for the continuation of its own particular system of governance. It is this relationship of interdependence between Nation and territory that embodies community members' collective appreciations for what it means to be Gitxaala.

Collaborative Research in *laxyuup Gitxaala*

This project was carried out under the auspices of a decades long research collaboration between the University of British Columbia and Gitxaala Nation, and was further facilitated through my seven-week internship with Gitxaala Environmental Monitoring (GEM). As the agency which “manages Gitxaala's engagement in both smaller land use referrals and major projects requiring a provincial or federal EA [environmental assessment],” GEM’s mandate is threefold: to “represent Gitxaala Nation in environmental assessment processes,” to “hold developers to the highest integrity and standards,” and to “provide sound, effective, and useful science and research for Gitxaala Nation” (Gitxaala Environmental Monitoring).

In my capacity as an intern, I provided support to the much overloaded GEM staff as the resident 'copier girl,' doing the tedious work of scanning and uploading dozens of binders worth of materials—ethnographers' notes, Gitxaala histories and laws, oral narratives, and community members' statements regarding Gitxaala culture, practices and land use—to be later sorted as part of the Gitxaala Nation's involvement in an indigenous law project (CCIRA 2016).

In the development of my project, I strove to position this work within a decolonization movement of empowering collaborations between researchers, advocates, and First Nations (Alfred 2005; Atalay 2006; Nicholas 2011). Mutual interest in the completion of this project was further assured by the direct relevance of my work to the Nation's own work regarding territorial protection. To this end, this project was conceptualized as involving two separate, yet linked, topics of interest: community members' appreciations of their own identities as Gitxaala, and secondly, the relational significance of a decades long maelstrom of proposed and active development projects within the bounds of Gitxaala traditional territory.

While developing this project, careful consideration was given to the importance of offering benefit to Gitxaala Nation and to respecting the Nation's own culturally relevant research protocols. Over the past several decades, numerous researchers and advocates—both Indigenous and non-Indigenous—have advanced various models for collaborative research (Lassiter 2008; Schensul 1987). The goal is to not only engage in research of direct importance to the research 'subjects', but also to further promote increased equity between all those involved in the research process, both in respect of the parties' relative power to control the research process, and in the receipt of any resultant benefits stemming from the research project—monetary or otherwise. Significantly, this model necessitates a research participant's express interest in conducting research from the outset (Nicholas 2011; Menzies & Butler 2011).

This focus on research ethics, and the sharing of power between researcher and research participant, is particularly acute for British Columbia's First Nations as a direct result of the province's history of institutionalized anti-Indigenous racism—a legacy of Canada's deep colonial roots and the state's associated perpetuation of structural violence against Indigenous peoples (Alfred 1999; Harris 2008). It is therefore of immense importance that the Nation has developed its own culturally relevant research protocols which demand genuine collaboration by researchers endeavouring to working within the community.

Through the joint efforts of Dr. Butler, and Ernie Bolton, I was able to connect with a great many people who generously offered their time, their patience, and their expertise as members of Gitxaala Nation in the completion of this research project. Over the course of my field research I conducted thirteen semi-structured interviews with nineteen collaborators. These research participants were selected to reflect differences in age, gender, educational background (institutional and otherwise), residence and employment histories, their social and political

positions within the Nation (hereditary and elected), and their respective Clan, and House, affiliations. This diversity in perspective reflects the breadth of my research into the particularities of community members' appreciations of their Gitxaala identities, as well as personal convictions regarding development within *laxyuup Gitxaala*. These interviews are my primary source of data given that they provide not only an incisive consideration of community members' appreciations of their Gitxaala identity, but also their concerns regarding territorial development and protection.

Gitxaala Politics and Assertions of Sovereignty

Laxyuup Gitxaala, the traditional territory of Gitxaala Nation, spans an approximate 170 kilometer stretch of British Columbia's north coast from Prince Rupert in the north, down to Aristazabal Island in the south. Running east to west, the territory extends roughly 110 kilometers from the mainland to the waters of Hecate Strait—70 km off the coast of Banks Island. Gitxaala Nation maintains that its people were the “original coastal peoples on the northwest. As is explained in *Gitxaala v Canada* (2016) F.C.A. 187 (Memorandum of Fact and Law) [Memo], “Gitxaala’s main modern community of Lach Klan has been continuously occupied for over nine millennia as a winter village” (Memo at page 6). This history of occupation serves as a great source of pride for the Nation. As explained:

Being Gitxaala, there's a really strong sense of pride because we're the oldest, continuously inhabited community on the north coast, and it dates back 10,000 years. And there's a lot of pride in that because we were here before anyone else was on the coast. (anonymous—Gitxaala community member)

It is by way of its ancientness that Gitxaala Nation differentiates itself from other Sm’algyax-speaking Nations, labelled ‘Tsimshian’ by some ethnographers.

Gitxaala Nation has never abrogated authority and jurisdiction over their traditional territory. Rather than pursue treaty negotiations, Gitxaala Nation has instead argued its position as the lawful holder of rights and title over land and resources within *laxyuup Gitxaala*. In the establishment of Gitxaala Environmental Monitoring (GEM), the Nation has furthered its capacity for involvement in development and consultative processes. It is through GEM's development of policies and procedures outlining expectations of conduct by development proponents working within *laxyuup Gitxaala*, the Nation's intensive involvement in the environmental assessment process, and its active efforts in the area of resource management, that

Gitxaala Nation continues to send a powerful message of their ultimate authority over the territory.

Over the past fifty years, there have been immense changes in the legal recognition of Aboriginal rights and title within Canada. By way of litigation with First Nations, the courts have provided confirmation for the continued existence of Aboriginal rights and title, clarified the particulars of those Aboriginal rights protected under the *Constitution Act, 1982*, and outlined the related responsibilities of government to consult First Nations prior to any exploitive activities on lands to which the relevant Nation may have claim. Cases including *Calder et al. v. Attorney-General of British Columbia*, (1973) S.C.R. 313 [*Calder*]; *R. v. Guerin*, (1984) 2 S.C.R. 335 [*Guerin*]; *R. v. Sparrow*, (1990) 1 S.C.R. 1075 [*Sparrow*]; *R. v. Van der Peet*, (1996) 2 S.C.R. 507 [*Van der Peet*]; *Delgamuukw v. British Columbia*, (1997) 3 S.C.R. 1010 [*Delgamuukw*]; and *Tsilhqot'in Nation v. British Columbia*, 2014 SCC 44, (2014) 2 S.C.R. 257 [*Tsilhqot'in*] all stand in testament to these efforts. Significantly, *Calder* further asserted that the cessation of First Nations' rights and title could only result from the completion of formal treaty negotiations with the Crown. These early cases laid the groundwork for British Columbia's modern day treaty process and, in 1990, the provincial government agreed to commence formal treaty negotiations with First Nations (Woolford 2005). Currently, the province maintains a six-stage treaty negotiation process which is facilitated by the BC Treaty Commission (BC Treaty Commission 2017). Gitxaala Nation currently remains outside of the treaty process (BC Treaty Commission 2017).

The concept of sovereignty “is simply *the right to self-government or self-rule which the Aboriginal people neither surrendered nor lost by way of conquest*. It is those rights which they have had since time immemorial and those which they continue to possess” (LaForme

1991:256). While this right is currently recognized under the greater umbrella of those Aboriginal rights protected under Section 35(1) of the *Constitution Act, 1982*, the absence of any definitive court rulings clarifying the precise nature of this right¹ allows for contention between First Nations and government with respect to the extent to which self-government may be undertaken by First Nations (Hurley 1998).

In lieu of further litigation, however, the Canadian government prefers to promote its willingness to “negotiate self-government arrangements that are tailored to meet the unique needs of Aboriginal groups and are responsive to their particular political, economic, legal, historical, cultural and social circumstances” (INAC 2010). Presumably, such negotiations between First Nations and government are intended to bypass the potential for the creation of new case law which might further clarify Aboriginal right to self-governance and provide greater autonomy for First Nations in Canada. In the province of British Columbia, the settlement of treaties offers notable opportunity for such agreements to be reached. To this end, rather than entering into treaty negotiations, Gitxaala Nation has commenced with the governance of its

¹ The early cases of *Calder* and *Guerin* confirmed the existence of Aboriginal title independent of Canadian statutory law, and provided further recognition of title as a *sui generis* right requiring Crown protection. Following *Calder*, uncertainty remained as to the continuation of Aboriginal title following the Royal Proclamation of 1763, and the British government's exercise of legal control over the lands. However, *Guerin* clarified this uncertainty, stipulating that Aboriginal title continued into the present given both the fiduciary duty of the Crown to protect certain Aboriginal rights, and the Crown's historic engagements with First Nations wherein the Crown held expectations the formal surrender land by First Nations through settlement. In subsequent years, *Sparrow* defined the conditions under which Aboriginal rights may be infringed upon by the Crown, while simultaneously affirming the right to honourable treatment by the Crown. This came as a result of the previously noted responsibility of the Crown to protect the rights of Aboriginal groups, thereby preventing their exploitation. Six years later, *Van der Peet* established criteria for the determination of an Aboriginal right as existing under Section 35(1) of the *Constitution Act, 1982*. In addition to this, the case clarified the Aboriginal right to customary law, as well as the right of cultural integrity. These rights were decided on the basis of the constancy with which the Crown historically recognized the laws, and customs of Aboriginal groups. To this end, Aboriginal groups are seen to possess the “right to maintain and develop the central and significant elements of their ancestral cultures” (Slattery 2008:118). These cases later provided the legal foundations for *Delgamuukw* and *Tsilhqot'in*, settled in Canada. These cases determined the necessity of a provincial adherence to these previous decisions by the Supreme Court of Canada through specific recognition of existing Aboriginal rights and title in British Columbia.

affairs on the basis of its unextinguished sovereignty, and the continued existence of Gitxaala rights and title within *laxyuup Gitxaala*. As explained by an anonymous community member:

The territory is a sign of wealth—for the hereditary chiefs. And if a chief didn't have territory, or land, how is he supposed to provide for his people? So, it's a sign of wealth that you are able to look after your people. So, [territory] means a lot! ... Can you imagine what it's like to be a chief and not having anything? You almost lose that status... When Nisga'a signed their treaty... [it] limited the land base that they originally claimed, and there were several chiefs that lost their land. So, my take on that Nisga'a treaty is that their chiefs stopped being chiefs because they signed a treaty—some of them—because they had no more land. And it was almost from that point on when I realized that Gitxaala should never be involved in a treaty. Gitxaala should never ever engage in the treaty negotiation process... how do we tell this Raven house: you're no longer in existence because you have no more land, and we've just given it away?

Consequently, Gitxaala Nation has opted for an approach that foregrounds Gitxaala sovereignty within community engagements with decision making and planning processes related to land use, natural resource extraction, and industrial development.

In 2008, Gitxaala Nation began to further its capacity for engagement with development proponents, regulatory agencies, and government through the establishment of an environmental monitoring and cultural research agency. This agency is known as Gitxaala Environmental Monitoring (GEM). GEM's primary function is environmental monitoring, which includes participation on provincial and federal review panels and associated environmental and heritage research. Clarence Innis, a Hereditary Chief, and former Acting Chief of Gitxaala Nation summarizes GEM's purpose as follows:

I think the most significant priority is our environment, our territory—make sure you minimize impacts if there's going to be development. Minimize impacts, maximize your benefits... Another thing we need to weigh is our 80% unemployment in the community. I know we could say no to everything, but that still doesn't resolve our unemployment in the community. There's opportunity now to change that –if we can find a balance. And hopefully—through this GEM office—they can assist us in finding this balance in minimizing the impacts to territory, so that we can maximize benefits. I mean, in the last ten years, leadership did some strategic planning on how we could get involved, in a meaningful way, with the potential of development. Strategic planning was put in place, and one of them was the purchase of this building that we are sitting in—to be used for

our Gitxaala Environmental Monitoring program, our technical people, that can assist us, and guide us through in making sure all those environmental issues are brought to the forefront. And if they can't do it, they hire the technical experts to come in to assist them...

GEM's environmental monitoring program aims to conduct thorough, culturally informed assessments of the various impacts of resource extraction and industrial development. However, interest in the collection of this data stems from the greater desire of Gitxaala Chief and Council to make independent decisions regarding the allowance of development within *laxyuup Gitxaala*, as well as to define the Nation's involvement in these projects on the basis of Gitxaala sovereignty.

Over the past decade, GEM has been instrumental in the establishment of formal policies regarding the conduct of development proponents, regulatory agencies, and government which uphold Gitxaala Nation's sovereignty over *laxyuup Gitxaala*. This effort is seen in the creation of culturally appropriate consultation guidelines for the negotiation of proposed development projects within the territory. Gitxaala Nation has sought to develop its own culturally informed environmental management policies and strategies which serve as the basis of environmental management within resource extraction and industrial development initiatives (Fisheries; Gitxaala Nation and the Province of British Columbia 2007). Through the clear articulation and active implementation of these policies, Gitxaala Nation continues to assert its status as a sovereign First Nation with unextinguished title and rights over its territory, and a great capacity for environmental management.

Under the consultation guidelines set out by the Environmental Assessment Office (EAO) for development proponents, the "EAO [must] clearly indicate its expectations of Proponents [following the initiation of an Environmental Assessment (EA)] in relation to First Nations and the Crown's duty to consult... although the legal duty to consult with First Nations lies with the

Crown, EAO usually delegates some procedural aspects of consultation to Proponents” (EAO 2013:6). For its part, efforts have been made by GEM to institute and enforce its own formal procedures of community engagement to ensure proponents, regulatory agencies, and government are working with Gitxaala Nation as an equal party in the decision making and planning processes. Gitxaala Nation stipulates that, “[w]hen a major project is proposed to Chief and Council in Gitxaala territory, the proponent and the regulatory agency are directed to Gitxaala’s legal counsel to negotiate Gitxaala’s engagement in the process” (Consultation Process). For the Nation, this assertion regarding its mandatory involvement in the decision making and planning processes of proposed resource extraction and industrial development projects stems from its stated sovereignty over the territory. To this end, negotiations of engagement are conducted under the auspices of an aspired government-to-government relationship between Chief and Council and the Crown (Gitxaala Nation and the Province of British Columbia 2007).

Through government-to-government negotiation, Gitxaala Nation aims to not only insure its involvement in the processes of researching, and monitoring the various impacts of extraction and development, but also to maintain its legal right to either prevent or promote development within the territory based upon the projects' foreseen impacts. In addressing his perception of proposed development within *laxyuup Gitxaala*, Bruce Watkinson, GEM's Fisheries Manager and Marine Program Coordinator, stated:

I think that—I personally believe that—we may not see these types of opportunities, in terms of negotiations and econom[ics]—job opportunities, business opportunities—I don't know if we will see these opportunities, like we are right now, again in my lifetime. So it becomes very complex in terms of balancing the values of Gitxaala—like the culture and environment, a lot of those social values—against the rate of development and the type of development. I don't know where the balance is, I don't know. I mean that's something that we are all working on here at GEM, right, we are trying to help the Nation make that informed decision about where that balance is, but it's tricky. I think

there is some developments we could live with, I think there are some developments we can't live with. All these things need to be assessed against our values, and assess what the longer term impacts will be. I mean, nobody is fooling each other here, once some of these major development projects go through things may never be the same, or they won't ever be the same again but a lot of it comes down to social choice and what benefits can we gain versus what we may be willing to sacrifice or give up on.

Further evidence of this interest in ensuring the Nation's equal participation can be seen in the Nation's stipulation that, “[p]roponents are required to provide funds to GEM to engage in thorough research regarding potential impacts in Gitxaala, to document community concerns about the project, and to review the proponent’s research. GEM often sends Gitxaala observers to monitor field research” (Consultation Process). However, negotiating Gitxaala involvement in these processes is not always straightforward, and often requires an immense expenditure in both time and community resources.

One example of this sometimes difficult process of negotiation, frequently discussed by community members during their interviews, was the Enbridge Northern Gateway Pipelines project. The project proposed creating both a route for the transport of imported condensate from a station in Kitimat, British Columbia, to Bruderheim, Alberta, and as a westbound route for the transport of diluted bitumen exports from the Athabasca oil sands in Alberta, for shipping overseas (Enbridge, Inc. 2017). Given its transverse of multiple provinces, the project triggered a Joint Review Panel, which was managed by the CEAA and the National Energy Board (NEB). The JRP was required to produce a report for the Governor in Council and to carry out an environmental assessment.

From the outset of this project, Gitxaala Nation's involvement has been demonstrative of its greater effort towards increasing recognition of Gitxaala sovereignty within *laxyuup Gitxaala*. Bruce Watkinson went on to explain in his interview that:

... the Enbridge Northern Gateway project where we quite unanimously came to the

conclusion that the risk associated with that project and the shipment, transportation, of bitumen through our waterways, and any benefits we might have obtained from being a partner or anything in that project, the risk just totally outweighed any perceived or real benefits. That was really a clear-cut case where we could not live with that project.

Gitxaala Nation aggressively opposed the project and “hired scientific experts on oil spills, Gitxaala culture and rights and title, and other topics, and conducted a major Gitxaala Use Study. Written witness statements and expert reports were submitted... Gitxaala provided oral testimony for 6 days, and took the JRP on a boat tour of the tanker route through Gitxaala territory” (Projects). Despite these efforts, in 2013 the JRP recommended the NEB approve the project subject to Enbridge successfully addressing 209 identified conditions and presenting its report to the Governor in Council.

In response, many coastal First Nations, including Gitxaala Nation, filed appeals opposing the decision. For these Nations, it was a concern over the project's potential impacts on their rights and title to traditional territories, the project's infringement upon their inherent sovereignty, which motivated this response to the slated development. In the case of *Coastal First Nations v British Columbia* (2016) BCSC 34, the Supreme Court of British Columbia ruled in January, 2016 that Enbridge failed to enter into the province's environmental assessment process as is required by the Environmental Assessment Act. As was stated, British Columbia's Environmental Assessment Act absolutely applies to projects managed by the NEB and as such development proponents are required to obtain a Provincial Environmental Assessment certificate. The initial decision to approve the project was invalidated and Enbridge was forced to re-enter the environmental assessment process.

In the case of *Gitxaala v Canada* (2016) F.C.A. 187, the First Nations argued that the Crown failed to adequately engage in meaningful consultation prior to the Governor in Council passing a decision on the project. In June, 2016 the Federal Court of Appeals ruled that not only

had the Crown failed in its duty to consult, but that prior to the passing of such decisions, it is first necessary to consider the adequacy of the Crown's consultation. The court provided a total of ten reasons for determining that the Crown had failed in its duty to consult which included the following:

- (d) The consultation process was over-delegated: the Joint Review Panel was not a legitimate forum for consultation and it did not allow for discussions between Canada and affected First Nations.
- (h) The consultation process was too generic. Canada and the Joint Review Panel looked at First Nations as a whole and failed to address adequately the specific concerns of particular First Nations.
- (i) After the Report of the Joint Review Panel was finalized, Canada failed to consult adequately with First Nations about their concerns; it also failed to give reasons showing that Canada considered and factored them into the Governor in Council's decision to approve the Project.
- (j) Canada did not assess or discuss First Nations' title or governance rights, nor was the impact on those rights factored into the Governor in Council's decision to approve the Project.

To this end, the Environmental Assessment Certificates issued to Enbridge by the NEB were revoked, and the court mandated that First Nation consultation be redone (Bear Robe and Dean 2017). Through the courts, the affected Nations succeeded in their efforts to gain increased recognition for the importance of respecting First Nations' title and rights in the contexts of resource extraction and industrial development. Moreover, it is of further significance that these Nations' right to sovereignty was upheld through the courts' increasing recognition of the importance of the Crown establishing genuine government-to-government relationships with First Nations as part of the consultation process.

The Nation's efforts towards establishing a government-to-government relationship with the Crown, in the context of negotiating the Nation's involvement in the planning and development processes of resource extraction and industrial development, is demonstrative of the Nation's basic assertion of sovereignty over *laxyuup Gitxaala*. The Nation's decision to forgo

treaty negotiations, and the consequential cessation of certain rights and title over its traditional territory, highlights the reality of this interest. As seen, the Nation is fighting for recognition and respect of its rights—its Aboriginal sovereignty. Significantly though, Gitxaala Nation's assertion of sovereignty is founded upon the continuation of a governance system intrinsically tied to the Nation's active engagement with the territory, and the harvest of the resources found therein. And it is in this way that the Nation's relationship to the environment must be appreciated.

What it Means to Be Gitxaala

What does it mean to be Gitxaala? I think, to me, it means a lot. It identifies who I am, where my position is in Gitxaala, how I got there, how we still follow our laws, and gives us a sense of belonging. Our laws pertain to everything that we do in regards to governance, our interactions with one another, how we deal with Mother Nature itself, and everything that lives in it; our *ayaawx* dictates all that. It's basically roots for me; I was taught about my culture and to be always proud to be Gitxaala.

Gitxaala is not a place. Gitxaala is in reference to people. Lach Klan is the place that we live—that's the reserve—a reserve that were picked by our people not by... government. The longest continually inhabited community on this coast—documented by archaeologists. It means a lot to me. I grew up with my grandparents—my grandfather, and my grandmother. I lived in the fish camps and they taught me about our culture—taught me a lot about what *ayaawx* meant, what *adawx* is, what *gugwilx'ya'ansk* is... All those things I just mentioned are still practiced in our feasting system... I have a big part to play in our culture; without those teachings I would be lost.

So, I guess that's what it means to be Gitxaala—to know what you come from, and how you interact with everything and everyone around you, how we governed our territory for thousands of years, based on these three things I mentioned—passed down through generations. It wasn't just thought up a few years ago! It wasn't given to us. It was passed down through our hereditary system, which we still practice. (Clarence Innis—former Acting Chief, Gitxaala Nation)

At the heart of this assertion of sovereignty over *laxyuup Gitxaala* is a continued fidelity to the traditional ecological knowledge that has sustained Gitxaala Nation since time immemorial. More explicitly, the integrity of Gitxaala Nation's governance system rests upon the Nation's greater capacity to actively engage with the territory through the practices of ongoing harvesting and resource management. Gitxaala governance is tied to all other aspects of Gitxaala cultural belief and practice. The political, economic, social, and spiritual systems of the Nation are irrevocably linked, having being developed in tandem on the basis of the Nation's dependency upon its territory for survival. The Nation's *adawx* (oral history), *ayaawx* (laws), and the process of *gugwilx'ya'ansk* (inheritance), serve as the foundations of Gitxaala governance and therefore inform all other aspects of Gitxaala daily life, and ideology. It is through a

continued engagement with the territory and its resources, as embodied by the practices of resource governance that Gitxaala Nation's culture and sovereignty is renewed and celebrated by generations of community members. As Fikret Berkes explains:

The use of traditional ecological knowledge to make a livelihood sustains the distinctive cultural ideology of the group as well as the very important social relationships within the group. It helps maintain social identity and provides a source of values. Social relations of cooperation, sharing, gift-giving, gender-role maintenance, and all-important reciprocity (with both humans and animals) are part of what Fienup-Riordan (1990) calls "the broader question of the relation of ideology to adaptation." Knowledge, values, and identity are transferred to succeeding generations through the annual, cyclical repetition of livelihood activities based on traditional ecological knowledge and practice. (2012:32)

In this way, it should be understood that Gitxaala Nation's way of being, their way of knowing the world, is upheld by way of their continued practice of Gitxaala *ayaawx*.

As laid out by Menzies, "Gitxaala governance is a system structured by social rank, connections to specific places through real people [*sm'ooygit*], and a profound historical sense that simultaneously looks to the past while asserting a living present and future" (2016:27). More explicitly, each member of Gitxaala Nation is recognized as a social being through their "clan affiliation, social class, house-group membership, and village residence" (Menzies & Butler 2007:443). Clan affiliation, being "*ganhada* (raven), *gispuwada* (blackfish), *lasgeek* (eagle), [and] *laxgibu* (wolf)," serves to solidify familial alliances within and between the different "multigenerational matrilineages called *walp*," or house-groups (Menzies & Butler 2007:443-444). A description of Gitxaala governance was offered by former Acting Chief, Clarence Innis:

There are four Tribes in our Nation: the Killer whale, the Eagle, the Raven, and the Wolf. And out of those four Tribes there are approximately 23 Houses that own territory throughout our whole territory. And each one of those Houses has a Chief, all at different rankings. Some are the same, some are different... They each have the autonomy to govern their own territory. In our *yaawk* I can't go into another Tribe's territory and take anything. I can't touch their territory. I can't touch their names. I can't touch their crests. I don't have any authority there. The only place I have that authority is in my tribe, in my house, where I can take names, give names. We have crests, we have territory and water, and we have authority and jurisdiction over those territories.

As explained, it is the title-holding class of each *walp* which forms the basis of Gitxaala hereditary leadership. Within this hierarchical leadership structure, the "*sm'gyigyeyet* [plural form of *sm'ooygit*]... or chiefs, who hold specific rights and responsibility with respect to other community members" stands apart as the highest ranking members of a *walp* (Menzies & Butler 2007:444). Just below the *sm'gyigyeyet* are the "*lik'agyet*," commonly referred to in English as either "councillors," "spokesmen," or "nobles" (Roth 2008:37). Women are also the bearers of names, with the "*sigyidm hanq'a*," (Menzies 2016:27) or "matriarchs," (Roth 2008:58) being the highest ranking named females within a *walp*. At the bottom of the title-holding class are the "*k'abawaalksik*," both men and women awaiting the receipt of a name (Menzies 2016:27).

The integrity of this Gitxaala governance structure rests upon a culturally based system of hereditary name-title holding (Roth 2008). Hereditary name-titles, or simply names, are not the possessions of their individual bearers, but rather are owned by particular *walps* and endure long after the passing of any one name holder. As explained by Roth, the members of a given *walp* "are not the people but the names that people wear, as well as those names that are not being worn or used at a given moment" (2008:36). Names are irrevocably linked to territory through stories documenting both the important events which gave rise to particular names, and those stories which trace the subsequent actions and experiences of the names' many name-holders through time (Menzies 2016; Roth 2008). As Menzies explains, the "authority and jurisdiction held by named hereditary leaders are thus rooted in the history of the ancestors who had the name previously" (Menzies 2016:30). These stories serve, not only to convey the rights and responsibilities of name-holders over a particular territory and its resources, but also serve to establish the status of names as derived from the "personal and politico-ceremonial" behaviours of its previous bearers (Roth 2008:59).

For the *sm'gyigyet*, the inheritance of a chiefly name is a “mandate to authority and a deed of sovereign land title, much in the manner of a royal crown” (Roth 2008:30). To this end, responsibility for the management of harvesting practices rest with the *sm'gyigyet* as it is the *walp* which governs “[o]wnership of, access to, and rights of use of resource-gathering locations” (Menzies & Butler 2007:444). This concept of land ownership is well conveyed by Eagle Clan Hereditary Chief, Doug Brown, now in his seventies, in the recollection his younger days living in the territory:

In my youth people live in camps, and these weren't just a couple of tents and a fire, no, these were mini communities—houses, boardwalks, smoke houses. Each tribe [clan] have camps, such as I described. The camp I lived in was a Raven camp... And the other tribes—the *gispuwada* [blackfish], and the *lasgeek* [eagle]... the killer whales, and the wolves—they all have their own camps. And these camps are passed down through that particular tribe. It can't be passed on to another tribe; it stays in the tribe that originally owned the camp.²

In this way, there is no social unit (individual, clan, house-group, or village) that possesses the indiscriminate right to harvest the resources found within *laxyuup Gitxaala*. Rather, each of the “house[s] owns and has responsibility for a patchwork quilt of resource gathering and social-use areas” which, in combination, comprise the collective territory that is *laxyuup Gitxaala* (Menzies & Butler 2007:444).

It is through the “*yaawk*,” or feast, that the authority and jurisdiction of the *walp* is affirmed over the course of successive generations (Roth 2008:30). Through the performance of the *adawx* before witnesses, the rights and responsibilities of name-holders to territory are simultaneously declared by the *walp* and recognized by the witnesses (Roth 2008). In this way, the feast is a sort of legal institution wherein land tenure is secured (McRanor 1997). As Roth

² It is important to note that, while the process of *gugwuilx 'ya 'ansk* is matrilineal in structure, children are frequently raised within their fathers’ territories.

explains, territorial, “ownership is renewed and recognized by successive generations at feasts, and the lineage’s historical relationship to the land is remembered and recounted in the lineage’s chronicles, called *adawx*” (2008:31). This process was briefly discussed by Hereditary Chief Clarence Innis, as he spoke to his appreciation for what it means to be Gitxaala:

When we feast, or when we take names, or for whatever reason we feast, we invite all the other Tribes, we invite the community—Nation members and other Nation members if they wish to attend—to witness the transferring of names, crests, territory, and the transference of a blanket—that’s the blanket you see that’s square, what they call regalia. That blanket signifies your authority, your jurisdiction, over something: land, and waterways... It’s a cloak, what they call regalia with your crests on there, and that crest basically tells the story, identifies who you are, identifies the House that you belong to—a crest that no other House, or Tribe can wear...

When you take it in a feast you’ve invited all the other Chiefs and when they get up to acknowledge what you are doing, if it is correct, they will acknowledge it. And they will also encourage you, now that you have taken a huge name, especially a leadership name, they will encourage you to stand firm to protect your territory... They don’t want any shame brought on that blanket by your actions or what you say... Now you have a huge responsibility.

When there is a death, names are formally bequeathed to the next generation. However, this “can result in a ripple effect” as suitable heirs to the available name may already be in possession of a name, which will, in turn, need to be bequeathed (Roth 2008:68). For this inheritance to be publicly recognized, however, it is first necessary that a “name-taking feast” be held by the lineage of the potential name holder. The inheritance of a name situates an individual within a network of social relations, encompassing the past, present and future, as associated with the legacy of the name within the history of the *walp*. Moreover, it signals the individual’s membership to, or relative position within, a particular *walp* that, “under the authority of its highest name, its chief, owns a specific territory and its resources as well as intangible property such as heraldic privileges” (Roth 2008:30-31).

Importantly, it is the “*adawx*,” those histories and accounts which “reference places,

events, people, privileges (crests, songs, stories, etc.), things (tangible and intangible) that form property rights,”(Menzies 2016:71) which determine the right of the *sm'gyigyeyet* to “govern, use, and manage his House territories” (*Memo* at page 6). The *adawx* form part of the “*public record*” and may be seen as the legal documentation of land ownership as mandated to name-holders under the auspice of their *walps* (McRanor 1997:69). This is due to the nature of the *adawx* as remembrances of important events in the history of the *walp*, centering on the experiences and actions of name holders. In fact, *adawx* may be literally translated as “true tellings” (Menzies 2016:71). According to Gitxaala Fisheries Manager, Bruce Watkinson:

When you go back to—where are you from, what house you belong to, what name you might have, or who had these names before you, why you wear a certain crest—it gets back to those origin stories that make us unique, and make us different. Nobody else can say, for example, that they come from certain parts of our territory—they don't have the right to say that the way we do.

Knowledge of Gitxaala *adawx* enables those in the present to speak to events which transpired over the course of millennia (Miller 1998). To this end, each *walp* possesses its own collection of *adawx*, which speak to their particular histories. In addition to these privately held *adawx*, there are also collective held *adawx*, which are shared, either by Clans or by the whole of Gitxaala Nation. As described by Menzies, “House territories and use areas of houses in the same lineages come together like a patchwork quilt that blankets the physical landscape in story, memory, and communities of shared practice” (2016:49). Significantly, these collective *adawx* provide the Nation with its authority over, and rights to, the whole of *laxyuup Gitxaala*, beyond the bounds of those specific territories owned by the individual *walps* (Menzies 2016).

Referenced in the *adawx* are the “*ayaawx*,” or laws, governing the relationships between people and territory (Menzies 2016:32). The significance of the *ayaawx* within the greater framework of Gitxaala culture is captured by Doug Brown in his statement that:

The strength of our *ayaawx* are obvious, it's though them that we still thrive today... Territory is tied to survival, influence, and power. Certain territories have certain resources, and we hold court over them all. Territories are acquired through the hereditary system. Influence is acquired through the acquisition of names—names of rank. On territory you acquire rights. Territory, and rights, and power could be acquired by marriage between people or rank... Sharing—through respect, through knowledge, and just being aware of everything and everyone around you, and being aware what happens on your territory...

The continued fulfillment of the *ayaawx*, is ensured through the process of “*gugwuilx 'ya 'ansk*” (*Memo* at page 5). With a literal translation of “to pass down through generations,” this process is also appreciable to “birthright or inheritance” and stands as “a key structuring principle of Gitxaala social and ecological relations” (*Memo* at page 5).

The recounting of the *adawx* is a proprietary right held by the relevant name holder. In other words, name-holders possess the authority to recount the *adawx* which document their own history as the current holder of an inherited name. In answering a rather pointed question about the significance of territory for Gitxaala Nation, GEM staff member Greg McKay, along with another community member, articulated their respect for the proprietary rights of the *sm'oogyit* to discuss their respective territories:

G: To me that's a questions that should be addressed to [the] *sm'oogyit*.

Anon: Yeah, for us, we'd get a slap on the hand for asking that...

G: ... because this is part of the loyalty that that [Anon], and I, follow.

Anon: We talk about the land that we come from, the traditional territory that we own within a territory, but we do not have the right to speak about someone else's territory.

G: That's part of protocol. Similar to the idea that, in regards to other communities around us, that we cannot really say what they do in their territory, and they can't say what we do in our territory.

Anon: And it's exactly how it is with Tribes within Tribal territories. We cannot speak or say anything about them. The reason why—and we are not going to be the only ones to say this—that we can't speak to other house territory, is that we may give false information that will hurt that territory because we are not told stories of that territory... because there are stories, songs about each territory... which brings back that protocol... [for example] Ravens can't tell a Killer Whale story. And it's not just about lacking the knowledge, it's about bloodline—our grandmothers', our mothers' bloodline where we come from. We come from where our mothers come from.

The sustainable resource use practices employed within the Nation's harvesting economy, both inform, and are informed by, a continued adherence to its legal and social systems. In this way, engagements with the territory, and its natural resources, serve to reinforce Gitxaala cultural identity. It is people's ability to maintain the economic sustainability of their territories, by way of active engagement with the resources therein that situate them within the Gitxaala socio-politic. This is an interrelated system in which the social, political and economic aspects of Gitxaala life are impossible to separate and should not be considered as independent spheres.

The concept of “*sty güülm goot*,” often translated as being "of one heart," describes Gitxaala Nation's approach to the governance, use, and management of territory through an appreciation of the interconnectedness of all living beings and environmental processes (*Memo* at page 7). In speaking to the core values of Gitxaala Nation, Doug Brown addressed this notion with great clarity:

The core values of Gitxaala—our identity? Respect, not only for each other, but everyone around us... The laws that govern our community, our people—as it has done for millennia—are still here, and we still abide by them today. It's through those laws, our *ayaawx*—*ayaawx* are laws that govern your daily actions, what you do and say every day. [These things] are based on our *ayaawx*.

In speaking to the core values of Gitxaala Nation, another anonymous community member also captured this concept in narrating an experience of learning while harvesting within *laxyuup*

Gitxaala:

The ability to sustain all of our sea resources is one of the huge core values of being Gitxaala. The stories that you hear, and the teachings of the harvesting methods are really important to sustaining our resources which means our people, you know, we've sustained our people through history... I went picking seaweed out at Banks Island, and you've probably been told a hundred times that Banks Island seaweed is the best seaweed in the world—it is, no lie—and there's *yansk* [chitons] that grow, and abalone that grow on those rocks... and I was told that you never, ever pick the abalone or the sea chitons off those rocks because if they weren't there then the barnacles would grow up all over the rock and then the seaweed wouldn't grow... So that's what they teach you, you're not just picking seaweed but you're maintaining it with other animals there.

This concept of interconnectivity “underpins Gitxaala approaches to resources and how they should be used and shared. It is premised upon a community-based conception of resources in which people and nonhumans share important reciprocal relationships of trust, respect, and—when things go wrong—retribution” (Menzies & Butler 2007:442-443). Such appreciations can be seen in the remarks of many community members speaking to the significance of sharing as a core value of Gitxaala Nation. For example:

When you give to people you get back double. That's what I was always told, whatever I get I have to share with people. I was raised like that, to share and to give to people who can't get out on the water or get out on the boat. So that's one thing we always did, me and my brothers always shared with everyone and we would always be blessed the next time we would go out on the boat. And to share with people that don't live at home [in Kitkatla], or even our friends from other places, to share with them those things that they can't get on a daily basis, and what we could get every day, whenever we want... So it's important to share what we have. (Warren Nelson—Youth Counselor, Gitxaala Band Council)

Humans are not seen as being separate from the environment, or otherwise distinct from all other living beings.

On a practical level, these interconnected political, economic, social, and spiritual spheres of Gitxaala culture are constantly articulated through the Nation's ongoing relationship with the territory. In this way, it is the governance of territory, which lies at the heart of what it means to be Gitxaala. It is through the resource governance that the Nation renews and affirms its ties to the territory as the people perform Gitxaala culture. Harvesting entails an appreciation for the *adawx*, the *ayaawx*, and the process of *gugwuilx'ya'ansk*, which together support the continued recognition of Gitxaala governance structures. The responsibilities to manage, protect and utilize the territory, and its resources, are therefore conferred in the proper conduct of governance. As an anonymous community member further explained:

Without all those resources, and without that land, we wouldn't have a culture that has survived for so long. The fact that we're isolated, and have been one of the most isolated communities, means that our culture has survived the genocide of the residential school system. The stories, and the *ayaawx*, and the *adawx*, our society structure, and our governing structure—all is based on our ability to utilize the land and the resources because, if a chief owned a lot of land,... he was probably a really strong leader when he was able to provide for his people. So it [territory] has a really strong impact on our culture, and our community.

The contemporary importance of the territory, and of harvesting, therefore stems from its primacy within the greater cultural framework. The crux of Gitxaala Nation's assertion of sovereignty—its ongoing struggle for political control over territory—is this relationship between territory, governance and culture.

Harvesting has remained a vitally important aspect of survival for Gitxaala Nation, not only by way of its ongoing support of Gitxaala culture, but also as a biological necessity. The resources found within *laxyuup Gitxaala* form the basis of a diverse and nutrient-rich diet that has sustained the Nation for thousands of years. As argued by both archaeologists, and members of Gitxaala Nation, “Gitxaala people have lived on [the Northwest] coast since the last ice age ten thousand years ago” (Menzies 2016:13). Gitxaala identity is the product of this millennia long engagement with the territory, and its resources, wherein Gitxaala social, political, economic, and spiritual systems evolved in support of the Nation's ongoing sustainability. In this way, the relationship between culture and practice must be appreciated as mutually informative.

Within Gitxaala Nation, the harvesting of both marine and terrestrial resources is of central importance for community members as a main source of sustenance, especially for those residing in Kitkatla. One contemporary reason for the importance of harvested resources for Kitkatla residents is the relative cost of purchasing goods as compared to harvesting. As Greg McKay and the anonymous community member explain:

Anon: Living in a small community with an unemployment rate of 95% maybe, and even

people with jobs, maybe out of 10 meals that I would cook in 10 days I would probably say about 85% of those are made out of traditional foods.

G: That's how it is for me in Rupert, even though I live in the city the majority of my diet is seafood... It's hard for me to... give it up. Only because, it's that way I was brought up.

Anon: Of the unemployed people, I'd say 98% of what they eat is traditional.

As of 2011, there were a recorded 310 income earners in Kitkatla out of a total population of 490 (INAC 2016). It should be noted that, of these 490 residents, 10 were nonindigenous residents (INAC 2016). Each of these income earners was recorded as bringing in an average total income of \$13, 327 annually, compared to the provincial average income of \$39, 415. Notably, fully 41% of the average income for Kitkatla income-earners came in the form of government transfers versus earned income (INAC 2016). Given the financial circumstances of many residents, the harvesting of resources becomes a necessity for their continued health and survival.

Despite the inability of some community members to harvest various resources (as a result of their advanced age or poor health), there remains a core group of harvesters who ensure that these community members retain access to Gitxaala foods. By practicing the Gitxaala value of sharing, these harvesters ensure the continued health of Gitxaala Nation.

The harvest of resources by Gitxaala Nation is expansive both in variety and location. Over 100 different species comprise the current list of harvested resources, including: “salmon, halibut, herring, seals, sea lions, deer, geese, ducks, crab, prawns, shrimp, a variety of rockfish, abalone, clams, cockles, chitons, Chinese slippers, seaweed, kelp, sea cucumbers, scallops, sea urchins, octopus, sea bird eggs, herring roe on kelp, and a variety of berries and medicinal plants” (Memo at page 7).

This diet of wild seafood, and game, is both varied and extensive despite the challenges faced by First Nations communities following the arrival of Europeans. Population declines as a result of disease, discriminatory policies and legislation minimizing First Nations' access to their

territories, and pointed efforts towards the erasure of First Nations' cultures, have all contributed to a break within this noted pattern of intergenerational knowledge sharing. Despite these recent difficulties, Gitxaala Nation has managed to maintain its relationship with the territory and its resources because of the immense importance of resource harvesting and management within the greater matrix of Gitxaala culture.

The diet has remained largely unchanged for “at least five millennia” (Menzies 2016:90), through the continued practice of *gugwuilx'ya'ansk*, hereditary governance and harvesting practice. This process of intergenerational knowledge sharing is directly tied to and emerges out of Gitxaala cultural values and beliefs. Experiences of harvesting—gathering, hunting and fishing— provide critical moments for knowledge sharing. This is an important means to be Gitxaala and to experience the teachings of one’s family through engagement with territory. Such is evident in the words of one anonymous community member in his discussion of what it means to be Gitxaala and the related importance of learning how to properly engage with the territory:

For me growing up, I always thought there was a difference between teaching and learning. And the teachings were done at home, through verbal discussions with my father, telling me about certain places—when to be there, when not to be there. Those were the teachings for me, sitting at home with him and having these conversations on fishing, hunting, harvesting. And when I started to learn about this stuff, that's when you're actually out on the grounds—doing it. That's when you start learning because from season to season, and year to year, everything changes...

This process is further demonstrated in the stories shared by Wendy Nelson as she recounted her experience of learning Gitxaala culture from her parents and grandparents while harvesting:

Every time harvesting came around, any season of the year, my [parents and grandparents], they would take us all as a family and we would harvest our traditional foods together. It wasn't where someone got to sit down on the sidelines, no, we all had to pitch in... and looking back on that, that's the greatest experience ever, learning our traditional foods, how to harvest them... It took quite some time for [my grandmother] to let me cut *woks* after it smoked for a couple of days... It took [my grandmother] a few

years to put that trust in me, to let [me] cut her fish! ... She said, the reason I'm not letting you do this, Wendy, is because you need to learn first, you need to watch how I'm holding my knife, you need to watch what I'm doing, you need to see how the fire's burning. Once you know you're ready, and then I'll know, and I'll let you fix *woks*. And then we'd hang the fish in the smoke house. And I never knew this until [my grandmother] told me, she said, when you hang them, Wendy, point the head part towards the water... She said, it's thanking the earth, thanking the waters for giving us the fish, and this is the way the fish can return back to the water.

The continued harvest of both marine and terrestrial resources within *laxyuup Gitxaala*, highlights the endurance of Gitxaala cultural values and beliefs within everyday practice. Harvesting plays a pivotal role in bringing about a collective appreciation for the interconnected spheres of Gitxaala politics, economics, spirituality, and sociality. In thinking about, speaking to, and actively going out to harvest the available resources people are brought into a shared communication of the values, beliefs and practices which together form the basis of Gitxaala culture. The *adawx*, which confer authority to named leadership, the *ayaawx*, which define Gitxaala responsibilities to and rights over territory, and the process of *gugwuilx'ya'ansk*, by which these authorities and responsibilities are inherited by future generations, all centre upon Gitxaala Nation's relationship with *laxyuup Gitxaala*. Notably, this relationship continues as a direct result of the Nation's capacity for ongoing engagement with the land and water, which is rooted in the continued importance of territorial governance for the survival of the Nation. This relationship of interdependency between Gitxaala Nation and its territory is the embodiment of what it means to be Gitxaala. Through territorial governance Gitxaala cultural practices and beliefs are both conceived of and perpetuated, and it is upon millennia of continuous interdependence with territory that the Nation's own system of governance is founded.

Conclusion

For Gitxaala Nation, efforts towards greater involvement in matters of resource management, and industrial development, find their roots in a desire for increased recognition and respect for the Nation's unextinguished Aboriginal rights and title over territory, as well as the Nation's right to sovereignty. As has been seen, Gitxaala Nation has endeavored to promote its unextinguished Aboriginal rights and title over *laxyuup Gitxaala*, by way of its staunch promotion of the Nation's primary authority over land use and management. This motivation has not only led to the Nation opting out of Treaty settlement in favour of the search to establish a genuine government-to-government relationship with the Crown, but has further led to the establishment of Gitxaala Environmental Monitoring (GEM). In this way, Gitxaala Nation has taken a proactive approach in the assurance of direct participation in the development and implementation of policies regarding territorial development. To this end, such efforts must be understood as demonstrative of the Nation's interest in the assertion of its unextinguished sovereignty over *laxyuup Gitxaala*.

Importantly, this assertion of sovereignty stems from the Nation's continued fidelity to a governance system informed by an active engagement with the territory, and therefore the continued harvesting of its abundant resources. Harvesting also requires an appreciation for the *adawx*, the *ayaawx*, and the process of *gugwuilx'ya'ansk*, which work together to ensure the continued recognition of Gitxaala governance structures by future generations. In other words, the Nation's active engagement with the territory brings about the continuation of its own particular system of governance. What follows is the existence of a mutually informative relationship between Gitxaala belief and practice and assurance of the Nation's abiding

sovereignty. In this way, the Nation's battle for sovereignty should be viewed as a battle for what it means to be Gitxaala.

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